



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARK EUGENE WEYAND,

Petitioner,

v.

JAMES A. YATES, Warden,

Respondent.

Case No. CV 06-5277-SJO (JTL)

ORDER ADOPTING FINDINGS,
CONCLUSIONS, AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Second Amended Petition for Writ of Habeas Corpus, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. Objections to the Report and Recommendation have been filed herein. Having made a de novo determination of those portions of the Report and Recommendation to which objection has been made, the Court concurs with and adopts the findings, conclusions and recommendations of the Magistrate Judge.

IT IS ORDERED that the Second Amended Petition for Writ of Habeas Corpus is denied and judgment shall be entered dismissing this action with prejudice.

DATED: 8/14/08

S. JAMES OTERO
UNITED STATES DISTRICT JUDGE